

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

SECURITIES AND EXCHANGE COMMISSION,	§	
	§	
Plaintiff,	§	
	§	
v.	§	Civil Action No. 3:09-CV-0298-N
	§	
STANFORD INTERNATIONAL BANK, LTD., ET	§	
AL.,	§	
	§	
Defendants.	§	

---

**RECEIVER'S NOTICE OF APPROVAL OF CANADIAN SETTLEMENT**

---

The Receiver hereby notifies the Court of two orders entered in Canada by the Ontario Superior Court of Justice and the Quebec Superior Court, both of which approve a settlement agreement by and among the Receiver, the Interim Receiver appointed for Stanford International Bank in Quebec, the Ontario attorney general, and others. The settlement agreement addresses the disposition of Stanford assets in Canada that had been frozen by the Ontario attorney general. The approval of both the Quebec and Ontario courts was required because both courts had asserted jurisdiction over the Stanford assets in Canada.

Pursuant to the Canadian settlement, approximately \$18 million will be turned over to the United States Department of Justice by the Ontario attorney general. Pursuant to the separate Settlement Agreement and Cross-Border Protocol, previously approved by this Court, the United States Department of Justice will then turn the funds over to the Receiver for distribution to the victims of the Stanford fraud. Additional amounts may be returned to the United States for distribution by the Receiver following further proceedings in Ontario.

The Ontario Order, a copy of which is attached as Exhibit A, was entered on September 23, 2013. The Quebec Order, a copy of which is attached as Exhibit B, was entered on September 13, 2013.

Dated: September 24, 2013.

Respectfully submitted,

BAKER BOTTS L.L.P.

/s/ Kevin M. Sadler

Kevin M. Sadler

Texas Bar No. 17512450

kevin.sadler@bakerbotts.com

Scott D. Powers

Texas Bar No. 24027746

scott.powers@bakerbotts.com

David T. Arlington

Texas Bar No. 00790238

david.arlington@bakerbotts.com

98 San Jacinto Blvd., Suite 1500

Austin, Texas 78701

(512) 322.2500 (Telephone)

(512) 322.2501 (Facsimile)

**ATTORNEYS FOR RECEIVER  
RALPH S. JANVEY**

**CERTIFICATE OF SERVICE**

On September 24, 2013, I electronically submitted the foregoing document with the clerk of the court of the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. I hereby certify that I have served the Court-appointed Examiner, all counsel and/or pro se parties of record electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

/s/ Kevin M. Sadler

Kevin M. Sadler

# EXHIBIT A



Court File No. CV-09-8154-00CL

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

THE HONOURABLE )

MONDAY, THE 23<sup>rd</sup>

MR. JUSTICE C. CAMPBELL )

DAY OF SEPTEMBER, 2013

BETWEEN:

(Court Seal)

ATTORNEY GENERAL OF ONTARIO

Applicant

- and -

THE CONTENTS OF VARIOUS FINANCIAL ACCOUNTS HELD WITH THE  
TORONTO-DOMINION BANK AND T-D WATERHOUSE (IN REM)

Respondent

**ORDER**

THIS APPLICATION, made on notice by the Applicant, the Attorney General of Ontario, for an Order of Forfeiture under the *Civil Remedies Act, 2001* (the "*Civil Remedies Act*"), was heard this day at the court house, 330 University Avenue, 7th Floor, Toronto, Ontario, M5G 1R7.

ON READING the Application Record, and on hearing the submissions of the lawyer(s) for the parties, all parties that have filed a Notice of Appearance in this Application consenting to this Order, with the exception that Ernst & Young, Inc., in its capacity as interim receiver of Stanford International Bank Limited (or Stanford International Bank, Ltd.) ("SIBL") and Stanford Group Company ("SGC"), among others (the "Interim Receiver"), and Ralph S. Janvey,

in his capacity as Receiver appointed by the United States District Court for the Northern District of Texas of, among others, SIBL and SGC (the "U.S. Receiver") do not oppose paragraph 2(a) of this Order,

1. THIS COURT ORDERS that, subject to paragraphs 2(a), 3 and 4 of this Order, the contents of the following accounts (the "Accounts") paid into court to the credit of this proceeding pursuant to this Court's orders made April 24, 2009 and June 23, 2009, and all accrued interest on such amounts paid into court, less accrued management fees and applicable taxes payable to the Court, are forfeited to the Crown in right of Ontario pursuant to the *Civil Remedies Act*:

(a) The Toronto-Dominion Bank accounts in the name of Stanford International Bank:

(i) 036001-2161573

(ii) 036001-2161670

(iii) 036001-2224235

(iv) 036001-2260513

(v) 036001-2300380

(vi) 036001-4035558

(vii) 036001-4035569

(viii) 036001-4035624

- (b) The Toronto-Dominion Bank account number 2501-0302513 in the name of Stanford Group Company;
- (c) TD Waterhouse account number NP6941 in the name of Stanford International Bank; and
- (d) The Toronto-Dominion Bank account number 03001-4153677 in the name of Stanford International Bank.

2. THIS COURT ORDERS that the Accountant of the Superior Court of Justice shall pay from the amounts paid into court to the credit of this proceeding:

- (a) the amount of CAD\$108,212.29 to Bennett Jones LLP in trust for Dynasty Furniture Manufacturing Ltd., Shafiq Hirani, Hanif Asaria, Dinmohamed Sunderji and 2645-1252 Quebec Inc. (collectively, the "Dynasty Group") in full and final satisfaction of the Dynasty Group's claims in this proceeding to be "legitimate owners" under the *Civil Remedies Act* of funds held in the Accounts; and
- (b) the amounts of USD\$14,818,263.78 and CAD\$3,047,135.20, plus all accrued interest on the amounts paid into court to the credit of this proceeding to the date of this Order less all accrued management fees and applicable taxes payable to the court to the date of this Order (the "Forfeited Funds"), to the Crown in Right of Ontario.

3. THIS COURT ORDERS that the amounts listed in Schedule "A" to this Order paid into court from the Accounts to the credit of this proceeding shall remain paid into court to the credit of this proceeding pending further Order of this Court.

4. THIS COURT ORDERS that the amounts of USD\$2,266,943.11 and CAD\$117,956.04 (the "Holdback Amounts") paid into court from the Accounts to the credit of this proceeding shall remain paid into court to the credit of this proceeding pending the hearing of the balance of this Application.

5. THIS COURT ORDERS that the Attorney General of Ontario may take an amount up to CAD\$100,000 from the Forfeited Funds for the Attorney General of Ontario's costs of this proceeding.

6. THIS COURT ORDERS that the Attorney General of Ontario is authorized and directed to give notice of this Application to all reasonably identifiable persons that transferred funds to the Accounts, or who were intended beneficiaries of funds transferred to the Accounts, on or after February 16, 2009, by sending a notice in the form attached as Schedule "B" to this Order to such persons' last known addresses, if available.

7. THIS COURT ORDERS that all claims to all or some of the contents of the Accounts by the Dynasty Group are dismissed without costs upon payment of the amount in paragraph 2(a) above, and that the Dynasty Group is not entitled to notice of any step and need not be served with any further documents in this Application after the date of this Order.

8. THIS COURT ORDERS that any claims to all or some of the contents of the Accounts by the Interim Receiver or the U.S. Receiver are dismissed without costs, provided that the Interim Receiver and the U.S. Receiver are each granted standing as a respondent in this Application to oppose and/or make submissions with respect to any claims by persons that claim to be "legitimate owners" under the *Civil Remedies Act* in respect of deposits of funds to Accounts on or after February 16, 2009 and, for greater certainty, shall each have all of the rights

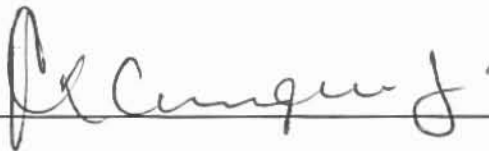


of a respondent to an application pursuant to the *Rules of Civil Procedure*, including without limitation the right to serve a responding application record, the right to cross-examine the deponents of any affidavits sworn by or on behalf of a person that claims to be a "legitimate owner" under the *Civil Remedies Act*, and the right to make submissions to the Court at any hearing of this Application with respect to such claims.

9. THIS COURT ORDERS THAT, on consent, the Attorney General of Ontario, the Interim Receiver, the U.S. Receiver, and members of the Dynasty Group shall not appeal from this Order or file a claim for compensation as persons who have suffered pecuniary or non-pecuniary losses as a result of unlawful activity under the *Civil Remedies Act*.

10. THIS COURT ORDERS THAT, on consent of the parties, the time for appealing from this Order is waived and abridged.

11. THIS COURT ORDERS that the balance of the Application is adjourned to a date to be set at a case conference to be held no later than 180 days after the date of this Order.



A handwritten signature in black ink, appearing to read "R. Cunningham", is written over a horizontal line.

ENTERED AT / INSCRIT A TORONTO  
ON / BOUQUINÉ  
LE / DANS LE REGISTRE NO.

SEP 23 2013



Handwritten initials "MB" in black ink.

**SCHEDULE A: PENDING POST-RECEIVERSHIP CLAIMS**

\* All claims subject to receipt by the Attorney General of Ontario of a sworn or affirmed proof of claim form in the form attached as Schedule "B" and supporting documentation satisfactory to the Attorney General of Ontario, the U.S. Receiver and the Interim Receiver.

Name	Amount
[REDACTED]	\$239,638.40 US
[REDACTED]	\$332,841.42 US
[REDACTED]	\$3,000 US
[REDACTED]	\$50,000 US
[REDACTED]	\$140,000 US
[REDACTED]	\$61,727.39 US
[REDACTED]	\$1,476,000 US
[REDACTED]	\$16,800 US
[REDACTED]	\$200,000 US
[REDACTED]	\$3,511.95 US
[REDACTED]	\$10,000 Euros
[REDACTED]	\$464,770 US
[REDACTED]	\$2,375.68 US
[REDACTED]	
[REDACTED]	\$3,000 US
[REDACTED]	
[REDACTED]	\$49,924.89 US
[REDACTED]	\$180,000 US

**SCHEDULE B: FORM OF NOTICE AND PROOF OF CLAIM**

Court File No. CV-09-8154-00CL

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

**B E T W E E N:**

**ATTORNEY GENERAL OF ONTARIO**

Applicant

- and -

**THE CONTENTS OF VARIOUS FINANCIAL ACCOUNTS HELD WITH THE  
TORONTO-DOMINION BANK AND T-D WATERHOUSE (IN REM)**

Respondent

**NOTICE**

IF YOU TRANSFERRED MONEY TO, OR WERE THE INTENDED RECIPIENT OF MONEY TRANSFERRED TO, ANY OF THE FOLLOWING ACCOUNTS (THE "STANFORD ACCOUNTS") HELD WITH THE TORONTO DOMINION BANK OR TD WATERHOUSE ON OR AFTER FEBRUARY 16, 2009, YOU ARE HEREBY GIVEN NOTICE THAT YOUR RIGHTS MAY BE AFFECTED IN THIS PROCEEDING:

Account Number	Account Name
0360012161573	Stanford International Bank
0360012161670	Stanford International Bank
0360012224235	Stanford International Bank (Collateral Acct)
0360012300380	Stanford International Bank (Vendor Acct)
0360012260513	Stanford International Bank
0360014035558	Suspense Re Stanford International Bank
0360014035569	Suspense Re Stanford International Bank
2501-0302513	Stanford Group Company
NP6941	Stanford International Bank
0360014035624	Suspense Re Stanford International Bank
0360014153677	Stanford International Bank

The Attorney General of Ontario has commenced this proceeding in the Ontario Superior Court of Justice (the "Ontario Court") under the *Civil Remedies Act, 2001*, S.O. 2001, c. 28, as amended.

IF YOU TRANSFERRED FUNDS TO ANY OF THE STANFORD ACCOUNTS OR WERE THE INTENDED BENEFICIARY OF ANY FUNDS TRANSFERRED TO ANY OF THE STANFORD ACCOUNTS ON OR AFTER FEBRUARY 16, 2009, YOU MAY HAVE A CLAIM TO BE A "LEGITIMATE OWNER" OF THOSE FUNDS.

If you wish to pursue this claim, you must complete the enclosed Legitimate Owner Proof of Claim Form and send it, together with copies of documentation supporting your claim, to:

●

YOU MUST SUBMIT YOUR FORM WITHIN 120 DAYS OF THE DATE OF THIS NOTICE OR YOUR CLAIM WILL NOT BE CONSIDERED.

All claims will be adjudicated by the Ontario Court at a hearing after the deadline for receipt of claims. IF YOU WISH TO BE REPRESENTED BY A LAWYER AT THIS HEARING, OR IF YOU HAVE ANY QUESTIONS ABOUT YOUR LEGAL RIGHTS IN THIS PROCEEDING, YOU SHOULD CONSULT A LAWYER.

All funds that are not returned to legitimate owners may be forfeited to Her Majesty the Queen in Right of Ontario.

PUBLICATION OF THIS NOTICE BY MAIL HAS BEEN AUTHORIZED BY THE ONTARIO SUPERIOR COURT OF JUSTICE.

Dated: ●

Court File No. CV-09-8154-00CL

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST**

**B E T W E E N:**

**ATTORNEY GENERAL OF ONTARIO**

**Applicant**

**- and -**

**THE CONTENTS OF VARIOUS FINANCIAL ACCOUNTS HELD WITH THE  
TORONTO-DOMINION BANK AND T-D WATERHOUSE (IN REM)**

**Respondent**

**LEGITIMATE OWNER PROOF OF CLAIM**

This claim form is for use by a person who claims to be the legitimate owner of funds that were transferred on or after February 16, 2009 into one or more of the following accounts then held at The Toronto Dominion Bank or TD Waterhouse.

<b>Account Number</b>	<b>Account Name</b>
0360012161573	Stanford International Bank
0360012161670	Stanford International Bank
0360012224235	Stanford International Bank (Collateral Acct)
0360012300380	Stanford International Bank (Vendor Acct)
0360012260513	Stanford International Bank
0360014035558	Suspense Re Stanford International Bank
0360014035569	Suspense Re Stanford International Bank
2501-0302513	Stanford Group Company
NP6941	Stanford International Bank
0360014035624	Suspense Re Stanford International Bank
0360014153677	Stanford International Bank

**1. CLAIMANT INFORMATION:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, Province/State, Postal/ZIP Code: \_\_\_\_\_

Country: \_\_\_\_\_

Telephone: \_\_\_\_\_

Stanford Account Number (if any): \_\_\_\_\_

**2. INFORMATION REGARDING THE TRANSFER THAT IS THE BASIS FOR YOUR CLAIM:**

Date of Transfer: \_\_\_\_\_

Amount of Transfer: \_\_\_\_\_

Name of the Transferor: \_\_\_\_\_

Name of the Intended Recipient of the Funds: \_\_\_\_\_

Transferring Bank or other Institution: \_\_\_\_\_

Number of the TD Account that received the funds: \_\_\_\_\_

**3. SUPPORTING DOCUMENTS:**

Please attach to this Proof of Claim form copies of all documents that support your claim, including but not limited to, copies of personal checks, cashiers checks, wire transfer advices, and other documents evidencing the amount, date and other information concerning the transfer that forms the basis of the Proof of Claim. DO NOT SEND ORIGINAL DOCUMENTS. If documents are not available, please attach an explanation of why the documents are unavailable.

**4. VERIFICATION OF CLAIMS**

Your claim is subject to verification by the office of the Attorney General of Ontario and approval by the Ontario Superior Court of Justice. It is important to provide complete and accurate information to facilitate this effort. Claimants may be asked to supply additional information to complete this process.

**5. AFFIRMATION OF ENTITLEMENT**

The undersigned person swears or affirms that:

1. The claimant was the transferor or intended recipient of the claimed funds.
2. If the claimant was the transferor of the claimed funds, the intended recipient of the claimed funds has no claim to the claimed funds.
3. If the claimant was the intended recipient of the claimed funds, the transferor of the claimed funds has no claim to the claimed funds.

**6. DIRECTION FOR PAYMENT IN TRUST TO LEGAL ADVISOR**

In the event that the claimant's claim is approved by the Court, the claimant authorizes and directs that the amount of the claim approved by the Court be paid to his/her/its attorney-at-law, lawyer or other legal advisor, as identified below, in trust for the claimant and this document shall be sufficient authority for such payment:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, Province/State, Postal/ZIP Code: \_\_\_\_\_

Country: \_\_\_\_\_

Telephone: \_\_\_\_\_

**7. DUE AUTHORIZATION**

If the claimant is a corporation or other legal person, the undersigned person is an officer or other authorized representative of the claimant and the submission of this Proof of Claim form has been duly authorized by all necessary corporate action on the part of the claimant.

**8. SIGNATURE AND SWORN AFFIRMATION**

The undersigned person swears or affirms that the above-information is true and correct and that the attached documents are true and correct copies of the originals. *(Sign and print the name and title, if any, of all claimants or other persons authorized to file this claim. If the person signing is other than the claimant of the funds, then attach a copy of a power of attorney, death certificate, or other document to evidence the signer's authority.)*

SWORN OR AFFIRMED BEFORE ME at  
..... this .....  
day of ....., 2013

\_\_\_\_\_  
Commissioner for Taking Affidavits or Notary Public  
(or as may be)

} \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Attorney General of Ontario

- and -

The Contents Of Various Financial Accounts Held With the  
Toronto-Dominion Bank and T-D Waterhouse (IN REM)  
Respondents

Applicant

**ONTARIO****SUPERIOR COURT OF JUSTICE  
COMMERCIAL LIST****Proceedings commenced at Toronto****ORDER**

James McKeachie, LSUC # 32985A

Dan Phelan, LSUC #51119R

Tel: 416-314-5881

Fax: 416-314-3714

Ministry of the Attorney General

Legal Services Division

Civil Remedies for Illicit Activities Office (CRIA)

Counsel for the Applicant

the Attorney General of Ontario

- Mailing address:  
77 Wellesley Street West  
P.O. Box #333  
Toronto ON M7A 1N3
- Address for service of documents and courier  
deliveries:  
720 Bay Street  
8<sup>th</sup> Floor  
Toronto ON M5G 2K1



# **EXHIBIT B**

**SUPERIOR COURT**

CANADA  
PROVINCE OF QUÉBEC  
DISTRICT OF MONTREAL

N° : 500-11-036045-090

DATE : September 13, 2013

---

**PRESIDING: THE HONOURABLE CLAUDE AUCLAIR, J.S.C.**

---

***IN THE MATTER OF THE RECEIVERSHIP OF:***

**STANFORD INTERNATIONAL BANK LIMITED *et al.***  
Debtors

**RALPH S. JANVEY, attorney**  
U.S. Receiver / Petitioner

and

**ERNST & YOUNG INC.**  
Interim Receiver / Petitioner

and

**AUTORITÉ DES MARCHÉS FINANCIERS**  
Mise-en-cause

and

**ATTORNEY GENERAL OF ONTARIO**  
Mise-en-cause

and

**GOVERNMENT OF THE UNITED STATES**  
Mise-en-cause

---

**JUDGMENT**

---

500-11-036045-090

PAGE 2

[1] The Petitioners present a *Re-Amended Motion for Directions and to Authorize Petitioners to enter into a Settlement* dated July 3, 2013 (the "**Re-Amended Motion**") pursuant to Article 34 of the *Bankruptcy and Insolvency Act* and Articles 4.1 and 4.2 of the *Code of Civil Procedure*.

[2] **CONSIDERING** the Re-Amended Motion and affidavits in support thereof;

[3] **CONSIDERING** the representations of counsel for Petitioners and of all the parties;

[4] **CONSIDERING** that all parties support the Re-Amended Motion and the conclusions therein;

[5] **FOR THOSE REASONS THE COURT:**

[6] **GRANTS** the present Re-Amended Motion;

[7] **APPROVES** the Minutes of Settlement signed on February 3, 2012, by Ernst & Young Inc., in its capacity of Interim Receiver to the Debtors as per Exhibit R-1 and signed by Bennett Jones on August 27<sup>th</sup>, 2013, as per Exhibit R-1A;

[8] **AUTHORIZES** Petitioner Ernst & Young Inc, in its capacity of Interim Receiver to the Debtors, to enter into the Minutes of Settlement signed on February 3, 2012 by Ernst & Young Inc., in its capacity of Interim Receiver to the Debtors;

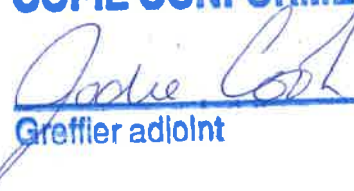
[9] **AUTHORIZES** Petitioner Ralph S. Janvey, in his capacity of U.S. Receiver to and foreign representative of the Debtors, to enter into the Minutes of Settlement signed on February 3, 2012 by Ernst & Young Inc., in its capacity of Interim Receiver to the Debtors;

[10] **ORDERS** the provisional execution of this Order, notwithstanding any appeal and without the necessity of furnishing any security;

[11] **THE WHOLE without costs.**

  
\_\_\_\_\_  
CLAUDE AUCLAIR, J.S.C.

**COPIE CONFORME**

  
\_\_\_\_\_  
Greffier adjoint